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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,019	01/30/2002	Chung-Hung Chang	BHT-3127-30	5557

7590 12/23/2003
BRUCE H. TROXELL
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FALLS CHURCH, VA 22041

EXAMINER

RAHMJOO, MANUCHER

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 12/23/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/059,019

Applicant(s)

CHANG ET AL.

Examiner

Mike Rahmjoo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 1- 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1 line 10 recites ” ...according magnitude in sequence ...”. Claim language is difficult to comprehend.

As per claim 1 line 11 recites”...orderly displays...”. Claim language is difficult to comprehend, in particular it is not understood what kind of an order is being implemented.

As per claim 1 line 14 recites”...synchronously in sequence connects...”. Claim language is difficult to comprehend.

As per claim 2 line 22 recites”...whether has detected...”. Claim language is difficult to comprehend.

As per claim 2 line 25 recites”...x value, if any modified...”. Claim language is difficult to comprehend.

As per claim 2 line 26 recites”...said input unit have already ...”. Claim language is difficult to comprehend.

Claim 6 recites the limitation "...in said memory..." in line 29. There is insufficient antecedent basis for this limitation in the claim.

Further clarification of the above and the remaining claims is respectfully requested.

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1- 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Ishikawa (US Patent 6,262,734).

As per claim 1 Ishikawa teaches a CPU has detected a series of relevant data information about X value, Y value and T value transferred from an input unit and saved those relevant data information (down loading from hard disk to a computer system) see for example column 10

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lines 1- 8 and figure 4; and Said CPU according magnitude in sequence of t value orderly displays each (x, y, t) data of input series of X value, Y value and T value on display screen of an output unit, and synchronously in sequence connects each point (represented by (x, y)) shown on display screen with line to completely form and display a simulated three-dimensional graph (displaying the object in 3d virtual space)see for example column 12 lines 20- 36, 48- 56 and figure 9.

As per claims 2, 3, and 4 Ishikawa teaches said CPU makes a decision whether has detected modified data to series of x , y, and t values transferred from said input unit(decision made by a pointing operation by the user using the input device) see for example column 12 lines 13- 36; and executing edition operation to series of x , y, and t values, if any modified data to series of x , y, and t values transferred from said input unit have already detected with said CPU (preparing graphic data attributes such as shape and editing the graphic data by the model editing tool) see for example column 15 lines 4- 26 and figures 8- 10.

As per claim 5 Ishikawa teaches a series of relevant data information about X value, Y value and T value transferred from said input unit may be immediately input (user selecting an object and clicking to select one of scaling, rotating, or moving on the screen to make changes to the object see for example column 19 lines 4- 29) and column 10 lines 8- 10.

As per claim 6 Ishikawa teaches a series of relevant data information about X value, Y value and T value transferred from said input unit may be a kind of data information pre-saved in said memory unit and output therefrom due to being instructed from said input unit (data downloaded from hard disk to computer system) see for example column 10 lines 1- 7.

As per claim 7 Ishikawa teaches a CPU respectively connected to an input unit, an output unit and memory unit; wherein said CPU has an I/O buffer (input/output buffer) connected to an input editor and a graph/text converter; said input editor is connected to an algebraic logic counting unit which is further connected to a time generator, a text display buffer, a data RAM and a graph generator respectively; said graph/text converter is connected to said time generator, said text display buffer and a graph display buffer respectively; and said graph generator is connected to said graph display buffer see for example columns 11- 13 and figures 7- 9.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure; 6,429,868, 6,064,400, 5,712,656, 5,745,113, 6,480,194, and 6,222,540.

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Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Rahmjoo whose telephone number is (703) 305- 5658. The examiner can normally be reached on 6:30- 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (703) 308- 6829. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872- 9314 for regular communications and (703) 872- 9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305- 4750.

Mike Rahmjoo

October 31, 2003



**MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**